

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- x  
CLAIRE ALLISON,

Plaintiff,

against-

14-cv-1618 (LAK)

CLOS-ETTE TOO, LLC, et al.,

Defendants.  
----- x

**ORDER**

LEWIS A. KAPLAN, *District Judge*.

Plaintiff's motion for leave to amend the complaint (DI 23) is denied, and the defendants' motions to dismiss for failure to state a claim (DI 15, 17) are (1) granted to the extent of dismissing the plaintiff's common law claims for fraud and promissory estoppel against all three defendants; the claims for breach of contract and quasi-contract against Ms. Fascitelli and Clos-ette; the Fair Labor Standards Act and New York Labor Law claims against Clos-ette; and the New York Civil Rights Law privacy claim and (2) denied with respect to the plaintiff's Labor Law claims against C2 and Ms. Fascitelli and with respect as well as to the quasi-contract claim against C2 – all substantially for the reasons set forth in the report and recommendation of Magistrate Judge James C. Francis IV to which no objections have been filed.

SO ORDERED.

Dated: October 7, 2014



\_\_\_\_\_  
Lewis A. Kaplan  
United States District Judge

